



SEPTEMBER 23 – 27, 2013 ST. LOUIS, MISSOURI

William Jay Riley, Chief Judge - Omaha, Nebraska

Circuit Judges in Active Service

Roger L. Wollman - Sioux Falls, SD
James B. Loken - Minneapolis, MN
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO
Bobby E. Shepherd - El Dorado, AR
Jane Kelly - Cedar Rapids, IA

Circuit Judges Who Have Taken Senior Status

Myron H. Bright - Fargo, ND
Pasco M. Bowman - Kansas City, MO
C. Arlen Beam - Lincoln, NE
Morris S. Arnold - Little Rock, AR
Michael J. Melloy - Cedar Rapids, IA

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28, and Division II will be held in the Southeast Courtroom on Floor 27. Division III will be held in the Northeast Courtroom on Floor 27, and Division IV will be held in the Southwest Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Counsel are required to file an "Argument Response/Appearance" form with the Clerk's Office identifying the party or parties they will be representing at oral argument. If an "Appearance" form has not already been filed, the "Argument Response/Appearance" form serves as your notice of appearance in the case. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans
Clerk of Court

DIVISION I
En Banc Courtroom
28th Floor

MONDAY, SEPTEMBER 23, 2013
BEFORE JUDGES RILEY, BYE, GRUENDER

13-1181EM	United States v. Elbert Jordan	NO ARG
13-1186WM	United States v. Eric Walker	NO ARG
13-1605WM	United States v. Damon Collier	NO ARG
13-1019SI	United States v. Jamarlo Scales, etc.	NO ARG
13-1802EA	United States v. Terys Boose, etc.	NO ARG
13-1055EA	United States v. Andre Roddy	NO ARG

TUESDAY, SEPTEMBER 24, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, BEAM, SMITH

1.	12-2779WM	Joel Baker, et al. v. Martin Marietta Materials, Inc., et al.	20
2.	12-2800WM	Zerger & Mauer LLP v. City of Greenwood	10
3.	13-1063EA	George Tedder v. American Railcar Industries, Inc.	
	13-1064EA	George Tedder v. American Railcar Industries, Inc.	15
4.	12-3966WM	Ricky Spaulding v. Conopco, Inc.	15
5.	12-4012EM	Chicago Insurance Company v. Archdiocese of St. Louis, et al.	15

DIVISION I
En Banc Courtroom
28th Floor

WEDNESDAY, SEPTEMBER 25, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, BEAM, SMITH

1.	13-1427EA	Richard Burton v. Arkansas Secretary of State, et al.	15
2.	12-3159EA	Lisa Gerhardt v. Liberty Life Assurance Company of Boston, et al.	15
3.	12-3991EM	Gary AuBuchon v. Timothy Geitner, etc.	15
4.	13-1022EM	Bruce Martin Construction, Inc. v. CTB, Inc.	15
5.	12-4047EA	Sean Nichols v. Acxiom Corporation Life and Accidental Death and Dismemberment Insurance Plan	
	13-1033EA	Sean Nichols v. Unicare Life and Health Insurance Company	15

THURSDAY, SEPTEMBER 26, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, BYE, GRUENDER

1.	12-3841WM	B.M., etc., et al. v. South Callaway R-II School District	15
2.	12-4000EM	Cody Walton v. Robert Dawson, et al.	15
3.	12-3912EM	Michael Wallace v. Claire Wallace	15
4.	13-1468EA	Mike Townsend v. Bayer HealthCare Pharmaceuticals Inc.	15
5.	12-3701	Frank Williams, et al. v. Chester King	10

**DIVISION I
En Banc Courtroom
28th Floor**

****AFTERNOON SESSION****

**THURSDAY, SEPTEMBER 26, 2013, BEGINNING AT 2:00 P.M.
BEFORE JUDGES BYE, SMITH, COLLOTON**

11-3514EA	Norman Rille, etc., et al. v. United States	15
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3:00 P.M. BEFORE JUDGES LOKEN, COLLOTON, KELLY

12-3834EA	Sandra Fletcher, etc., et al. v. JP Morgan Chase & Co., et al.	15
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**FRIDAY, SEPTEMBER 27, 2013, BEGINNING AT 8:30 A.M.
BEFORE JUDGES RILEY, BYE, GRUENDER**

1.	12-3995EA	United States v. Jonathan Wright, etc.	15
2.	13-1705EM	United States v. Chris Reed	10
3.	13-1122EM	United States v. Jose Diaz	15
4.	12-3689EM 12-3691EM	United States v. Jerome Johnson United States v. Darryl Muldrow	15
5.	12-4040EA	United States v. Michael Longoria	10

**DIVISION II
Southeast Courtroom
27th Floor**

**MONDAY, SEPTEMBER 23, 2013
BEFORE JUDGES WOLLMAN, BEAM, SMITH**

13-1002WM	Reyco Granning LLC v. International Brotherhood of Teamsters, Local Union No. 245	NO ARG
12-3608WA	United States v. Lemuel Hall	NO ARG
13-1052NE	United States v. Hugo Galaviz	NO ARG
12-4025WM	United States v. Keith Nelson	NO ARG
13-1440EM	United States v. Dale Gatewood	NO ARG
13-1081NI	United States v. Renee Dattolico	NO ARG

**TUESDAY, SEPTEMBER 24, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, BRIGHT, BYE**

1.	12-2056WM	Ronald Tussey, et al. v. ABB, Inc., et al.	
	12-2060WM	Ronald Tussey, et al. v. Fidelity Management Trust Company, et al.	
	12-3794WM	Ronald Tussey, et al. v. Fidelity Management Trust Company, et al.	
	12-3875WM	Ronald Tussey, et al. v. ABB, Inc., et al.	30
2.	12-3383EA	Christopher Stoner v. Eugene Watlington, etc.	15
3.	12-2924EM	Beckon, Inc. v. Amco Insurance Company	15
4.	12-3934EA	Loretta Rester v. Stephens Media, LLC, et al.	15
5.	13-1025EM	Dannix Painting, LLC v. Sherwin-Williams Company	15

DIVISION II
Southeast Courtroom
27th Floor

WEDNESDAY, SEPTEMBER 25, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, BRIGHT, BYE

1.	12-3724WM	Steven Hammer, etc., et al. v. Sam's East, Inc., etc., et al.	
	12-3858WM	Steven Hammer, etc., et al. v. Sam's East, Inc., etc., et al.	20
2.	12-3564EA	L. T. Simes, II v. Arkansas Judicial Discipline and Disability Commission, et al.	15
3.	12-3941EM	Machecha Transport Company, etc., et al. v. Philadelphia Indemnity Insurance Company	15
4.	12-3733	Eric Supangat v. Eric H. Holder, Jr.	10
5.	12-2609	Naveed Thobhani v. Eric H. Holder, Jr.	
	12-2881	Naveed Thobhani v. Eric H. Holder, Jr.	10

THURSDAY, SEPTEMBER 26, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, SMITH, KELLY

1.	12-2527EM	United States v. Elain Young	
	12-2593EM	United States v. Katherine Mock	30
2.	12-3708EA	John Bailey, et al. v. CitiBank, N.A., etc.	15
3.	12-2531WM	Randall Jackson v. Jay Nixon, etc., et al.	15
4.	13-1508EM	Benny Aragon v. Wal-Mart Stores East, L.P., etc., et al.	15
5.	12-4018	Shawn Copeland, et al. v. Richard Fink	10

DIVISION II
Southeast Courtroom
27th Floor

FRIDAY, SEPTEMBER 27, 2013, BEGINNING AT 8:30 A.M.
BEFORE JUDGES WOLLMAN, SMITH, KELLY

1.	13-1023EM 13-1069EM	United States v. Steven Campbell United States v. John Bailey	15
2.	12-2919WM	United States v. Damon Goodrich	15
3.	12-2561WM	Larry Covington v. United States	10
4.	12-3746WA	United States v. Ramiro Salazar-Aleman	10
5.	12-3464WM	United States v. Marquez Lawhorn, etc.	10

**DIVISION III
Northeast Courtroom
27th Floor**

**MONDAY, SEPTEMBER 23, 2013
BEFORE JUDGES LOKEN, COLLOTON, BENTON**

13-1387WM	H&R Block Tax Services, LLC v. Lutgardo Acevedo-Lopez	NO ARG
13-1624WA	United States v. Bobby Springston	NO ARG
13-1812ND	United States v. Robert Jangula	NO ARG
13-1054WM	United States v. Naricco Scott	NO ARG
13-1599EA	United States v. Claude Dukes, Jr.	NO ARG
13-1333WM	United States v. Donald Cowens	NO ARG

**TUESDAY, SEPTEMBER 24, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, COLLOTON, BENTON**

1.	13-1290EM	Joshua Munroe, et al. v. Continental Western Insurance Company, etc.	20
2.	12-3096EA	Jonathan Dorris v. TXD Services, L.P.	15
3.	12-2719	GoJet Airlines, LLC v. Federal Aviation Administration	15
4.	12-3482EM	St. Louis Produce Market v. Clarence Hughes	10
5.	12-3842EA	Barbara Hager v. Arkansas Department of Health, et al.	15

**DIVISION III
Northeast Courtroom
27th Floor**

**WEDNESDAY, SEPTEMBER 25, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, COLLOTON, BENTON**

1.	12-3958EM	The Phipps Group v. Don Downing & Adam Levitt, etc.	
	12-4045EM	Don Downing & Adam Levitt, etc. v. The Phipps Group	20
2.	12-3507WM	Bob Crozier, et al. v. Stanley Wint	15
3.	12-3712EM	Associated Electric Cooperative, Inc. v. International Brotherhood of Electrical Workers, Local No. 53	15
4.	13-1381EA	Yulanda Hill v. Carolyn Walker, etc.	15
5.	12-3740WM	Boehringer Ingelheim Vetmedica, Inc. v. United Food and Commercial Workers, etc.	15

**THURSDAY, SEPTEMBER 26, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, COLLOTON, BENTON**

1.	12-3121WM	Christine Winter, etc. v. Novartis Pharmaceuticals Corporation	
	12-3409WM	Christine Winter, etc. v. Novartis Pharmaceuticals Corporation	20
2.	11-2874EM	Reginald Morgan v. Laurent Javois	15
3.	13-1292EM	Cynthia Clayborn v. Dennis Struebling, et al.	15
4.	13-1350EA	Timothy Boehm v. Eli Lilly & Company	15
5.	12-3471EM	Kenneth Gray v. Jeff Norman	15

**DIVISION III
Northeast Courtroom
27th Floor**

**FRIDAY, SEPTEMBER 27, 2013, BEGINNING AT 8:30 A.M.
BEFORE JUDGES LOKEN, COLLOTON, BENTON**

1.	12-3401EM	United States v. Jamaal Johnson	15
2.	12-3339WM	United States v. Richard Sneed	10
3.	12-3586EA	Brian Ward v. Ray Hobbs, etc.	10
4.	12-3397WM	United States v. Timothy Stringer	15
5.	12-3732WM	United States v. Ronnie Landsdown	15

**DIVISION IV
Southwest Courtroom
27th Floor**

**MONDAY, SEPTEMBER 23, 2013
BEFORE JUDGES MURPHY, MELLOY, SHEPHERD**

12-3526EA	Gary Reece, etc. v. Bank of New York Mellon, etc.	
13-1245EA	Gary Reece, etc. v. Bank of New York Mellon, etc.	NO ARG
12-3793WM	United States v. Paul White	
12-3795WM	United States v. Paul White	NO ARG
13-1283WM	United States v. Craig Moore	NO ARG
13-1195EM	United States v. Donald Walters, etc.	
13-1208EM	United States v. Donald Walters, etc.	NO ARG
13-1353EA	United States v. Clinton Holman, Sr.	NO ARG
13-1962SI	United States v. Tyson Marshek	NO ARG

**TUESDAY, SEPTEMBER 24, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, SHEPHERD**

1.	12-3445EA	Glenn Gunter, et al. v. Farmers Insurance Company, Inc., et al.	20
2.	12-3555	Gary Shelton, et al. v. CitiMortgage, Inc.	15
3.	12-3601EA	Gabriel Coker v. Arkansas State Police, et al.	15
4.	12-3871WA	John Cottrell, etc., et al. v. Michael Duke, et al.	15
5.	12-3494WA	Mayme Brown, etc. v. Mortgage Electronic Registration Systems, Inc., etc., et al.	15

DIVISION IV
Southwest Courtroom
27th Floor

WEDNESDAY, SEPTEMBER 25, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, SHEPHERD

1.	12-3301EA 12-3395EA	Tony Sayger v. Riceland Foods, Inc. Tony Sayger v. Riceland Foods, Inc.	20
2.	12-3164	Jian Zhang, et al. v. Eric H. Holder, Jr., etc.	15
3.	12-2977	Imelda Rios-Diaz v. Eric H. Holder, Jr.	15
4.	12-3887EM	Essie Foster, etc., et al. v. Missouri Department of Health and Senior Services, etc., et al.	15
5.	12-2899	Armando Lopez-Fernandez, et al. v. Eric H. Holder, Jr., etc.	15

THURSDAY, SEPTEMBER 26, 2013, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MELLOY, SHEPHERD

1.	13-1310	Seth Harris, Acting Secretary, United States Department of Labor v. Loren Cook Company	15
2.	12-3881EM	Kelly Jordan, et al. v. Safeco Insurance Company of Illinois	15
3.	12-1532WM	Randy Spencer v. Jackson County Missouri, et al.	15
4.	12-3170WM 12-4032WM	Barbara Eichholz, et al. v. Secura Supreme Insurance Company Barbara Eichholz, et al. v. Secura Supreme Insurance Company	15
5.	12-3669EM	Larry Brown v. CRST Malone, Inc.	15

DIVISION IV
Southwest Courtroom
27th Floor

FRIDAY, SEPTEMBER 27, 2013, BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, MELLOY, SHEPHERD

	13-1016EM	United States v. Michael Manning	NO ARG
1.	12-2923WM	Theotis Muhammad v. United States	15
2.	12-1853WM	Dwight Thomas v. United States	10
	13-1035EM	United States v. Kevin White, etc.	NO ARG
3.	12-2050WM	United States v. Wayne Gordon	10